

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13940, of the Presbyterian Home of the District of Columbia, pursuant to Sub-section 8207.2 of the Zoning Regulations, for special exceptions under Paragraph 3101.414 to permit an addition to an existing health care facility and under Paragraph 3101.413 to use part of the subject premises as a community residence facility in an R-1-A District at premises 3050 Military Road, N.W., (Square 2287, Lot 805).

HEARING DATE: March 23, 1983
DECISION DATE: April 6, 1983

FINDINGS OF FACT:

1. The subject site is located on the south side of Military Road between Jennifer Street to the east and 31st Street to the west. It is known as premises 3050 Military Road, N.W. The site is in an R-1-A District.

2. The site consists of approximately twelve acres and is improved with a facility known as the Presbyterian Home of the District of Columbia, hereinafter referred to as the Home.

3. The site is unusually shaped and has varying topography. Much of the site is wooded on its perimeter. The Home is barely visible from Military Road, from which a driveway leads to the facility. Single family detached dwellings abut the site on its south and east sides and part of its northern line. The facility is located towards the western half of the site. The Carnegie Institution abuts the site on the southeast side. Temple Sinai abuts the site to the northeast, all in the R-1-A District. Military Road is a heavy travelled arterial right-of-way and bus route. St. Johns Military Academy and Rock Creek Park are located to the northeast and east of the site.

4. The Home was established in 1906 and moved to its present site pursuant to BZA Order No. 5105 in 1960. In that case, the Board approved the establishment of eighty beds at the Home, ten of which were to be nursing beds and the remaining seventy to be residential. In BZA Order No. 9232, dated November 21, 1967, the Board approved construction of an addition to the Home in order to accommodate a total of 300 beds, sixty-four of which would be nursing facility beds. Due to economic constraints, this

addition was not constructed. In BZA Order No. 11147, dated January 10, 1973, the Board approved the addition of 140 beds to the existing eighty beds for a total of 220. Thirty-seven of these beds were to be nursing facility beds. Due to economic constraints, this addition was also not constructed. In BZA Order No. 12164, dated June 16, 1976, the Board approved the addition of ninety new beds for a total of 170. A total of thirty-two of those beds were to be nursing facility beds. This structure was constructed and represents the present status of the Home.

5. The applicant is now requesting permission to build a two story brick addition to the south wing of the existing Home. The new addition will occupy approximately 15,602 square feet of the site and will add twenty-eight health care facility beds and fifteen community residence facility beds for a total of forty-three additional beds.

6. The proposed addition consists of single and double occupancy rooms, nurses stations, doctors offices, dining rooms, and all of the other associated function rooms typical of a facility of this nature. The exterior facade of the building will harmonize with the existing facility. The addition will be constructed of brick with an asphalt shingle roof.

7. During the past several years, a combination of factors has led the Home to the conclusion that a modest expansion in capacity is necessary. The present waiting list is such that the time from application to admission is five years. In addition, the present health care facility, which is intended to provide for the needs of the residents, is fully occupied. This is the result of the general demographic trend of an older, more frail population with a need for more health care services. The present application represents the result of two years of study by the Board of Directors of the Home, working in conjunction with architects, health care specialists and consultants.

8. The applicant is not requesting any variances from the R-1-A District provisions. The proposed development combined with the existing facility will occupy approximately 45,041 square feet of the 540,532 square foot site. This lot occupancy falls well below the maximum allowable forty per cent coverage in the R-1-A District. The site has 1,140 feet of frontage on Military Road. The proposed addition will have a rear yard depth of eighty-four feet and side yard depths of 200 and 484 feet. These area and yard requirements far exceed the minimum requirements for R-1-A development. The proposed addition conforms with the forty foot maximum height in this zone.

9. Paragraphs 3101.413 and 3101.414 allow respectively by special exception a community residence facility having

nine to fifteen persons and a health care facility for nine to 300 persons in the R-1-A District. Special exception approval under both provisions requires that there shall be no other property continuing a community based residential facility for five or more persons in the same square or no other property containing a community based residential facility for five or more persons within a radius of 6000 feet from any portion of the subject property; that there will be adequate, appropriately located and screened off-street parking to provide for the needs of occupants, employees and visitors to the facility; that the facility shall meet all applicable code and licensing requirements; and that the application shall be referred to the Office of Planning for coordination, review and report.

10. There is no other property containing a community based residential facility for five or more persons in the same square as the Home, according to the list of such facilities maintained by the Office of the Zoning Administrator. However, the Elizabeth Shoemaker Home at 2701 Military Road, N.W., is a community residence facility for thirteen residents, and is located within 1000 feet of the property line of the Presbyterian Home.

11. Although the Shoemaker Home is within 1,000 feet of the Presbyterian Home's property, the cumulative effect of these two facilities will not have an adverse impact on the neighborhood because of traffic, noise or operations. The Shoemaker Home is approximately 1,400 feet, or over one quarter mile, from the existing and proposed structures at the Presbyterian Home. The driveway entrances to these two facilities are also approximately 1,400 feet apart, and both facilities are located on Military Road. Moreover, because of the extreme distance between the the facilities, the Board finds that there will be no cumulative adverse effect from noise or other operations of these two facilities. The properties are separated by the Home's wooded buffer area, by Military Road, and by many single family residences. The Home is designed to provide a serene residential environment.

12. There is adequate, appropriately located and screened off-street parking to provide for the needs of occupants, employees and visitors to the facility. The vast majority of the occupants of the Home do not drive automobiles. The plans for the proposed expansion show fifty-two on-site parking spaces, which represents an increase of ten spaces over the present number. The proposal will result in seven more employees. This translates to two to four more vehicle trips per hour during peak periods. Up to eight additional visitor trips can be expected each average weekday. Section 7202 of the Zoning Regulations requires parking spaces for community based residential facilities in the amount of one space for each eight residents, for

facilities of up to sixteen persons. For facilities of sixteen or more persons, the required parking is to be determined by the Board of Zoning Adjustment. The Home will have fifty-two parking spaces to serve the projected maximum of 213 residents. This equals one parking space for every four residents. This is adequate to meet the projected demands of the Home, for employees, residents and visitors. In addition, there is an informal reciprocal agreement between the Home and Temple Sinai, located on Military Road immediately to the west of the Home, to accommodate any necessary overflow parking on special occasions. Further, there are ample spaces alongside the Home's interior driveways to accommodate any occasional additional needs. Both the existing parking and the new proposed parking are appropriately located and well screened.

13. The facility will meet all applicable code and licensing requirements. The Presbyterian Home has filed an application for a Certificate of Need to accommodate the additional health care beds. This application is currently being processed by the State Health Planning Agency. In addition, the Home is inspected on a periodic basis by D.C. agencies to determine compliance with all applicable District of Columbia codes and regulations. The Home has consistently been found to be in compliance with those requirements.

14. The Office of Planning, by memorandum dated March 16, 1983, recommended approval of the application. The Office of Planning was of the opinion that the applicant's proposal meets the criteria for approval as established in Paragraphs 3101.413 and 3101.414 of the Zoning Regulations. The facility's location on the large and well landscaped subject lot, its provision for ample parking and history of unobjectionable existence lends support for granting of this application. The Office of Planning recommended approval of this application noting further its consistency with the intent and purpose of Sub-section 8207.2 which provides that special exception approval will be in harmony with the general purpose and intent of the Zoning Regulations and not tend to affect adversely the use of neighboring property. The Board concurs in the OP recommendation.

15. The Department of Transportation, by memorandum dated March 11, 1983, reported that the proposed addition will have a negligible effect on the surrounding street system. Military Road is a principal arterial, forty feet wide, with an average weekday traffic volume of 27,100 in the vicinity of the site. There are two lanes of traffic in each direction, and parking is prohibited at all times. 30th Place and 31st Street are interrupted between Garrison Street and Chesapeake Street, respectively, and Military Road, and resume north of Military Road, opposite the

site. Both are local streets; residential sticker parking is permitted at all times. Broad Branch Road is a thirty foot wide collector street, with an average weekday traffic volume of 1,900 vehicles near the site. It is a two-way two-lane street; parking is prohibited at all times. Six Metrobus routes service the site. The M-3 and M-4 buses run along Military Road between Nebraska Avenue and 30th Place every 20 minutes during rush hours and every half hour at other times. The E-2, E-2, E-4 and E-5 routes run along Military Road every ten minutes in rush hours and every half hour during the remainder of the day.

16. The Department of Transportation further reported that the proposed changes would raise the number of beds in the Presbyterian Home from 175 to 218, a net increase of forty-three. Approximately seventy-four persons would be employed by the expanded facility, seven more than the present number, with a maximum of forty-three on the site at one time. The DOT estimated that work-oriented automobile trips generated by the expansion would range from two to four vehicles per hour during peak periods. Up to eight additional visitor trips will occur each average weekday, but few of these will be made during rush hours.

17. The Department of Transportation also reported that the Zoning Regulations require the applicant to provide parking spaces at a number set by the Board of Zoning Adjustment. The applicant proposes to add ten spaces to the forty-two already existing, raising the total to fifty-two, or one for every four beds. This amount appeared adequate to the DOT to meet the projected needs of the expanded facility. In addition, there is room along the seventeen foot driveway to accommodate any overflow of visitor parking without impinging on public space. The Board concurs in the DOT recommendation and its reasoning.

18. Advisory Neighborhood Commission 3G, by report dated March 8, 1983, reported that the ANC voted unanimously to support the application. The ANC reported that the ANC Single Member District Commissioner for this area visited the site, reviewed the plans with representatives of the Home, and toured the existing facilities. The ANC found that the proposal would serve a definite health care need, in a sophisticated manner, to the Washington metropolitan area. The ANC further found that the proposed addition would be in harmony with and add to the surrounding physical environment, would add to the utility of the existing Home, and would be aesthetically pleasing to the surrounding neighborhood. The Board concurs in the ANC recommendation.

19. Letters of support or no objection were received from the Temple Sinai, the Carnegie Institution and the Embassy of Tunisia, all of which abut the subject site.

20. A letter of opposition was filed by abutting property owners Mr. and Mrs. F.A. Christensen of 5121 Branch Road, N.W., through their counsel. Based on discussions between counsel and representatives of the Home, and based upon the testimony presented at the Hearing, counsel for the Christensens stated that his clients' concerns had been addressed, and that the objection was therefore withdrawn.

CONCLUSIONS OF LAW AND OPINION:


Based on the record, the Board concludes that the applicant is seeking special exceptions, the granting of which requires proof of compliance with Paragraphs 3101.414 and 3101.413 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof. There are no other community based residential facilities in the same square. Although there is a community residence facility within 1,000 feet, the two facilities are substantially separated and the cumulative impact will not be objectionable. The site is extremely large, and the proposed addition with sufficient parking can easily be accommodated.

The Board further concludes that the application can be granted as in harmony with the general purpose and intent of the Zoning Regulations, and that the relief sought will not tend to adversely affect the use of neighboring property. The Board concludes that it has accorded to the Advisory Neighborhood Commission the "great weight" to which it is entitled. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 5-0 (Douglas J. Patton, Carrie Thornhill, William F. McIntosh, Maybelle Taylor Bennett and Charles R. Norris to GRANT).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

JUN 28 1983

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

BZA APPLICATION NO. 13940

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THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.

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